ORDINANCE NO. 3-2025

ORDINANCE REGULATING AND RESTRICTING THE USE AND OCCUPANCY OF MANUFACTURED HOMES FOR DWELLINGS OR THE CONDUCT OF BUSINESS WITHIN THE VILLAGE OF LEESVILLE, OHIO

WHEREAS, the Council of the Village of Leesville, Carroll County, Ohio, desires to regulate and restrict the use of MANUFACTURED HOMES for dwellings or the conduct of business within the Village as a result of concerns expressed by residents of the community, to protect and maintain the value of properties presently existing in the community and for other reasons of public welfare and community planning;

NOW THEREFORE, be it Ordained by the Council of the Village of Leesville as follows:

SECTION 1. This Ordinance repeals and replaces Ordinance No.3 on 5 13 ,2025 and any amendments or modifications thereto and, further, repeals and replaces any provision in any prior ordinance or amendment that is inconsistent with the terms and requirements as provided and established herein.

SECTION 2. For the purpose of this ordinance the following shall apply:

A. "Manufactured home" means a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards.

B. "Permanent foundation" means permanent masonry, concrete, or a locally approved footing or foundation, to which a manufactured or mobile home may be affixed.

C. "Permanently sited manufactured home" means a manufactured home that meets all of the following criteria:

(1) The structure is affixed to a permanent foundation and is connected to appropriate facilities;

(2) The structure was manufactured after January 1, 1995;

(3) The structure is not located in a manufactured home park as defined by Section 3733.01 of the Revised Code.

D. "Safe," with respect to a building, means it is free from danger or hazard to the life, safety, health, or welfare of persons occupying or frequenting it, or of the public and from danger of settlement, movement, disintegration, or collapse, whether such danger

arises from the methods or materials of its construction or from equipment installed therein, for the purpose of lighting, heating, the transmission or utilization of electric current, or from its location or otherwise.

E. "Sanitary," with respect to a building means it is free from danger or hazard to the health of persons occupying or frequenting it or to that of the public, if such danger arises from the method or materials of its construction or from any equipment installed therein, for the purpose of lighting, heating, ventilating, or plumbing.

SECTION 3. It shall be unlawful within the corporate limits of the Village of Leesville, Ohio, for the owner, agent, or any other person, firm or corporation to park any MANUFACTURED HOME on any tract of land owned by any person, firm or corporation, occupied or unoccupied, within the Village except as provided in this Ordinance.

SECTION 4. No person shall park or occupy any MANUFACTURED HOME on the premises of any occupied dwelling or on any lot which is not part of the premises of any occupied dwelling either of which is situated outside of an approved mobile home park in accordance with Chapter 3733 Revised Code of Ohio; provided that the parking of only one unoccupied MANUFACTURED HOME, in an accessory private garage building or in a rear yard in any district, is permitted provided no living quarters shall be maintained or any business practiced in such MANUFACTURED HOME while it is being stored.

SECTION 5. That notwithstanding Section 1 of this Ordinance, nothing contained in the Ordinance shall in any way effect any such MANUFACTURED HOME now parked or used by any person as such living quarters, or any MANUFACTURED HOME which was used for such purpose prior to the effective date of this Ordinance. Should any such MANUFACTURED HOME within the Village limits be moved or removed, it shall be lawful to return or replace by the same owner provided that all other requirements of this ordinance are satisfied by strict compliance.

SECTION 6. MANUFACTURED HOMES shall not be used as dwellings or for the conduct of business except where the structure satisfies all criteria as a "permanently sited manufactured home" as defined herein and, further, where the following conditions are also satisfied:

A. Each MANUFACTURED HOME shall have Sewer systems which are approved by the County Health Department and which are in compliance with all requirements of the ordinances or regulations as may be in existence in the said Village of Leesville, Ohio, in regard to dwellings.

B. Each MANUFACTURED HOME shall be for one (1) family; including permanent provisions for cooking, eating, sleeping and sanitation.

C. Each MANUFACTURED HOME to be used as a permanent place of abode or as a permanent dwelling or for indefinite periods of time shall first obtain, from the Village of Leesville, Ohio, a permit as hereinafter provided. Cost for the permit shall be one hundred fifty dollars ($150.00). The permit application must be obtained from the

Village Clerk or from a member of the Housing Committee of the Council of the Village of Leesville, Ohio. The permit application shall not be approved for installation of a MANUFACTURED HOME until it can be reasonably demonstrated that all requirements of this ordinance can be satisfied.

F. A structure may not be attached to or built around the MANUFACTURED HOME. A garage or accessory building may be built of similar materials as the MANUFACTURED HOME and be generally of the same style and design on the same lot.

G. There shall only be one (1) MANUFACTURED HOME per lot or per outlot regardless of lot or outlot size.

H. The MANUFACTURED HOME placement must comply with all existing easements for utilities.

I. A MANUFACTURED HOME cannot be placed in the Federally designated One Hundred (100) year flood plain in the Village of Leesville, Ohio, unless all federal regulations are met and all the necessary federal permits are secured.

J. In addition to the requirements set forth in this Ordinance, all requirements of the International Property Maintenance Code, Building Officials and Code Administrators (BOCA) 2000 edition, related to residential and nonresidential structures, shall be fully satisfied.

K. Each MANUFACTURED HOME shall have skirting or block work which covers all exposed portions of said MANUFACTURED HOME.

L. Each MANUFACTURED HOME shall have any and all wheels and/or axles removed.

SECTION 7. The Village may permit the location of MANUFACTURED HOMES for use as construction offices or construction tool trailers within the Village limits for a period of time not to exceed three (10) days past completion of construction project.

SECTION 8. That the installation of a MANUFACTURED HOME comply with all ordinances, codes, or regulations adopted by the Village of Leesville, Ohio, by Carroll County, by the State of Ohio and by the Federal Government.

SECTION 9. A MANUFACTURED HOME shall be installed and maintained, whether for use as a dwelling or for conduct of business, in a safe and sanitary manner and under safe and sanitary condition as defined herein.

SECTION 10. Any provision of this ordinance that is determined to be unenforceable as a matter of law shall be stricken and shall not affect any other provision herein.

SECTION 11. Any person who violates the terms of this ordinance as above set forth shall be guilty of a minor misdemeanor for the first offense and be fined not more than one hundred dollars ($100.00) plus court costs. Any subsequent offense by the same person shall be a fourth (4th) degree misdemeanor, punishable by thirty (30) days in jail and a fine of two hundred fifty dollars ($250.00). A

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Mara Malterer, Mayor
Karen Love, Fiscal Officer

SECTION 12. That this Ordinance be and remain in force from and after the time of its passage.

Passed this 13th day of May, 2025. ✓

Passed this 10th day of June, 2025. ✓

Passed this 8th day of July, 2025. ✓

Approved: Mara Malterer
Mayor Mara Malterer

Attest: Karen Love
Fiscal Officer